11-22 -04

I hereby conty that this correspondence is being deposited with the U.S. Postal Express Mail, Airbill No. EV 419929399 US, in an envelope addressed Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 19, 2004

Signature:

Docket No.: VTW-007

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Alexander Gelbman

RECEIVED

NOV 2 9 2004

Application No.: 10/071,732

Art Unit: 2675 Technology Center 2600

Filed: February 7, 2002

Examiner: D. Y. Chow

For: SMART ELECTRONIC LABEL EMPLOYING

ELECTRONIC INK

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated May 21, 2004 (Paper No. 9), please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

490.00

SUBTOTAL (3) (\$)

Anthony A. Laurentano)

PTO/SB/17 (10-02) Approved for use through 10/31/2002. OMB 0651-0032 perwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known REE TRANSMITTAL 10/071732-Conf. #2975 Application Number for FY 2003 Filing Date February 7, 2002 Alexander GELBMAN First Named Inventor Patent fees are subject to annual revision. **Examiner Name** D. Y. Chow Applicant claims small entity status. See 37 CFR 1.27 Group Art Unit VTV**₹**-007 TOTAL AMOUNT OF PAYMENT 490.00 Attorney Docket No. FEE CALCULATION (CANTALPED) 9 2004 METHOD OF PAYMENT (check all that apply) MONEY 3. ADDITIONAL FEES Check Technology Center 2600 x Deposit Account Large Entity Small Entity Deposit 12-0080 Fee Account Fee Description (\$) Code (\$) Fee Paid Code Number Deposit 1051 130 2051 65 Surcharge - late filing fee or oath Lahive & Cockfield, LLP Account Name Surcharge - late provisional filing fee or cover 1052 50 2052 25 The Commissioner is hereby authorized to: (check all that apply) X Credit any overpayments Charge fee(s) indicated below 1053 130 1053 130 Non-English specification Charge any additional fee(s) during the pendency of this 1812 2,520 1812 2,520 For filing a request for ex parte reexamination Requesting publication of SIR prior to 1804 920 1804 920* Charge fee(s) indicated below, except for the filing fee Examiner action REQUESTING PUBLICATION OF SIR to the above-identified deposit account 1.840 1805 1.8401 1805 **FEE CALCULATION** 1251 110 2251 55 Extension for reply within first month 1. BASIC FILING FEE 1252 410 2252 205 Extension for reply within second month 490.00 Large Entity **Small Entity** 1253 930 2253 Extension for reply within third month Fee Fee Fee Fee Description 1254 1,450 2254 725 Extension for reply within fourth month Code (\$) Code (\$) Fee Paid 1,970 2255 Utility filing fee 1255 985 Extension for reply within fifth month 1001 750 2001 375 1002 330 2002 165 Design filing fee 1401 320 2401 Notice of Appeal 1003 520 2003 260 Plant filing fee 1402 320 2402 Filing a brief in support of an appeal 1004 2004 Reissue filing fee 280 2403 Request for oral hearing 2005 Provisional filing fee 1451 1,510 Petition to institute a public use proceeding 1005 160 1451 1,510 1452 110 2452 Petition to revive - unavoidable SUBTOTAL (1) 0.00 1453 1,300 2453 650 Petition to revive - unintentional 1501 1,300 2501 Utility issue fee (or reissue) 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 650 Extra Fee from 1502 470 2502 235 Design issue fee Fee Paid Claims below Total Claims 19 -49** = 0.00 1503 630 2503 315 Plant issue fee Independent 1460 130 1460 130 Petitions to the Commissioner -6* 0.00 4 Processing fee under 37 CFR 1.17(q) 1807 50 1807 50 Multiple Dependent Submission of Information Disclosure Stmt 1806 180 1806 180 Large Entity Small Entity Recording each patent assignment per Fee Description 8021 40 8021 Code (\$) Code (\$) property (times number of properties) Filing a submission after final rejection 1202 18 2202 Claims in excess of 20 1809 750 2809 375 (37 CFR 1.129(a)) 1201 84 2201 42 Independent claims in excess of 3 For each additional invention to be 1810 750 2810 375 1203 280 2203 140 Multiple dependent claim, if not paid examined (37CFR 1.129(b)) Request for Continued Examination (RCE) 1204 84 2204 Reissue independent claims 750 2801 375 1801 over original patent Request for expedited examination 1802 900 1802 1205 18 2205 Reissue claims in excess of 20 of a design application and over original patent Other fee (specify)

SUBMITTED BY				Complete (if applicable)
Name (Print/Type)	Anthony A/Laurentano	Registration No. (Attorney/Agent)	38,220	Telephone	(617) 227-7400
Signature	Anthony	pentutario		Date	November 19, 2004
		"			_

*Reduced by Basic Filing Fee Paid

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Dated: November 19, 2004

SUBTOTAL (2) (\$)

**or number previously paid, if greater, For Reissues, see above

Signature: ___

0.00

AMENDMENT TRANSMITTAL LETTER Application No. Filing Date Examiner 10/071732-Conf. #2975 February 7, 2002 D. Y. Chow

Docket No.

VTW-007

Art Unit

2675

Invention: SMART ELECTRONIC LABEL EMPLOYING ELECTRONIC INK

NOV 2 9 2004

TO THE COMMISSIONER FOR PATENTS

Technology Center 2600

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

Applicant(s): Alexander GELBMAN

		CLAIM	S AS AMENI	DED			
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate			
Total Claims	19	- 49 =		×	0.00		
Independent Claims	4	- 6 =		х	0.00		
Multiple Depend	lent Claims (ch	eck if applicabl	e)				
Other fee (pleas	e specify): E	extension for res	ponse within the	nird month	490.00		
TOTAL ADDIT	IONAL FEE FO	OR THIS AME	NDMENT:		490.00		
Large Entity	-			x Small En	itity		
No additiona	al fee is require	d for this amer	ndment.				
× Please charg	ge Deposit Acc			n the amount of	\$		
A check in the amount of \$ to cover the filing fee is enclosed.							
=	credit card. Fo						
as described	is hereby auth below. A dup ny overpaymer	licate copy of		Deposit Accour enclosed.	nt No. <u>12-0080</u>		
x Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.							
Anthony A. Lau Attorney Reg. K	entano	uo		Dated: _	November 19, 2004		
LAHIVE & COC 28 State Street Boston, Massa (617) 227-7400	chusetts 0210	9					

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